REMARKS/ARGUMENTS

Claims 1, 3-25 and 27-28 are pending in this application. Claims 1, 12, 18, 24 and 27 are currently amended. No new matter has been added. Support for the amendments is found at least at page 2, line 28-page 3, line2, and Figures 1, 6 and 7A and corresponding text description in the specification.

INTERVIEW

Applicants appreciate the courtesy extended by the Examiner in participating in a telephone interview with the undersigned attorney. The undersigned attorney provided a proposed amendment and raised the points provided below. The Examiner did not specifically retort regarding the undersigned attorney's remarks regarding the Examiner's concerns under 35 USC 103(a). It is believed that this rejection is overcome. The Examiner did raise concerns regarding 35 USC 101, after which certain amendments were discussed to satisfy that requirement. A further recitation has now also been added to provide greater clarity regarding the content item and content definition editors of claim1, and similar recitations have been added into the other independent claims 18, 24 and 27. It is respectfully submitted that the application is now in condition for allowance.

CLAIM REJECTIONS UNDER 35 USC 103

Claims 1, 8-9, 11-20, 22 and 23 are rejected under 35 USC 103(a) as being unpatentable over United States patent no. 6,847,800 to Harned et al. in view of Anuff et al. and Ferrel et al. This rejection is respectfully traversed. The current amendments serve to clarify the distinct and advantageous nature of Applicants' invention.

SHORTCOMINGS OF HARNED ET AL.

Claim 1 has been amended to recite a content handling program component, a format handling program component and a publisher program component. The other independent claims 18, 24 and 27 have been similarly amended. These were previously recited as "modules" rather than "program components". The Examiner cited an educational software program that includes multiple learning modules in a course of study to meet the modular characteristic of Applicants' software architecture. These educational learning modules of Harned et al. and the previously recited "modules" now recited as Applicants' content and format handling and publishing program components are however entirely different. The field of education has long used "exercises" or "learning modules" or "learning exercises" to refer to subsets of courses of study, and Harned et al. also use the term "module" in this manner. Harned et al. describes a course of study with multiple learning modules, wherein each learning module may differ as to its content (e.g. for a math course, there might be an addition module, a subtraction module, a division module, a multiplication module, etc.), but there is no teaching or suggestion by Harned et al. that content handling, format handling and publishing are performed using different program components of a modular software architecture. The exercise modules of Harned et al. instead include pre-formatted content that may be called sequentially into a user interface. A disadvantage of storing and using only pre-formatted content, as Harned et al. describe, is a lack of flexibility, e.g., when it is desired to publish the same content in two or more different formats.

Applicants' invention also includes handling and separately storing content item information and content format information with distinct program components. The separately stored content item and format information are also combined in Applicants' invention and formatted output is generated by a third program component, or publisher program component, based on the combination. For these reason, claims 1, 8-9, 11-20, and 22-23 are allowable.

Moreover, nowhere does Harned et al. teach or suggest the sub-components of Applicants' advantageous content handling program component, which are:

(i) a content definition editor that receives a content definition including one or more data types and one or more parameters for each data type;

(ii) a data structure generator that produces a content data structure, the content data structure corresponding to the content definition; and

(iii) a content item editor that receives content item information , and provides the content item information for storage in the content data structure.

For these further reasons, claims 1, 8-9, 11-17 are allowable. Claims 18-20 and 22-23 are allowable for the same reasons.

Moreover, the Examiner has not specifically cited components within the disclosure of Harned et al. to meet each of these sub-components of Applicants' invention as set forth specifically at claim 1, and similarly with regard to claims 18-20 and 22-23. The Examiner is respectfully requested to either cite an element referred to by Harned et al. to meet each of these sub-components of Applicants' invention, as required, or withdraw this rejection for this additional reason.

In addition, claim 1 now specifically requires that the content definition editor and the content item editor configured for implementation on a display on content definition and content editor screens, respectively, in separate network browser windows. Claims 18-20 and 22-23 now require that the content definition parameters and the content item information are viewable on a display on content definition and content editor screens, respectively, in separate network browser windows. These features are also not taught or suggested by Harned et

al., and claims 1, 8-9, 11-20 and 22-23 are therefore allowable for these additional reasons.

FAILURE OF FERREL ET AL. TO MEET APPLICANTS' PUBLISHER

In addition, the Examiner concedes that there is no independent publisher program component taught or suggested by Harned et al. Instead, the Examiner relies upon Ferrel et al. to meet this element. Ferrel et al. do not teach a publisher that generates formatted output based on a combination of separately stored content item and format information as required in Applicants' claims. For this further reason, Applicants' claims 1, 8-9, 11-20 and 22-23 are allowable.

NO SUGGESTION TO COMBINE HARNED ET AL. AND ANUFF ET AL.

The Examiner has cited column 1, lines 62-67 of Anuff et al. as providing the suggestion to combine Harned et al. and Anuff et al. However, as mentioned above, the teaching of Harned et al. relates to an educational program with multiple pre-formatted exercises or learning modules. Anuff et al. relates, on the other hand, to providing access to various software environments through a library of object-oriented classes. For this further reason, Applicants' invention is allowable as set forth in the claims 1, 8-9, 11-20 and 22-23.

SEPARATE STORAGE OF CONTENT ITEM
AND FORMATTING INFORMATION

All of Applicants' claims now require that the content item information and formatting information are separately stored, e.g., in separate databases. This is facilitated by the multiple component nature of Applicant's system. That is, Applicant's system includes content definition, data structure and content item editors for handling content item information that may be stored in a first subset of one or more databases, while Applicant's system also includes a template editor that generates and stores formatting information separately from the

content item information. Neither Harned et al., nor Ferrel, nor Anuff et al. teaches the three content handling components of Applicant's system, and clearly do not describe a multiple component-based system that is configured for separately handling content and formatting information, nor that is configured for handling content and formatting information that is separately stored.

The Examiner effectively concedes that Ferrell et al. do not teach separate databases or multiple databases for storing content and format information. The Examiner states that Ferrell et al teaches that content is stored in multiple databases and consolidated by a publisher. However, Applicants' claims require that content item and format information are separately stored, which is not the same thing as different content items being separately stored.

Claims 3-4, 7, 24-25, and 27-28 are rejected under 35 USC 103(a) as being unpatentable over United States patent no. 6,847,800 to Harned et al. in view of Anuff et al. and Ferrel et al., in further view of Plantz et al. This rejection is respectfully traversed for the reasons set forth above with regard to the failures and shortcomings already described above with regard to Harned et al. Anuff et al. and Ferrell et al.

Claims 5, 6, 10 and 21 are rejected under 35 USC 103(a) as being unpatentable over United States patent no. 6,847,800 to Harned et al. in view of Anuff et al. and Ferrel et al., in further view of Yamashita et al. This rejection is respectfully traversed for the reasons set forth above with regard to the failures and shortcomings already described above with regard to Harned et al. Anuff et al. and Ferrell et al.

CLAIM REJECTIONS UNDER 35 USC 101

The Examiner raised concerns regarding 35 USC 101 during a telephone discussion with the undersigned attorney. The claims have been amended to address those concerns. Claims 1 and 3-25 specifically now recite a computer network including various sites connected by communication links, and various corresponding storage devices having computer-readable code embodied

therein, and Claims 27-28 specifically recite one or more processor readable

storage devices having processor readable code embodied thereon, said

processor readable code for programming one or more processors.

It is respectfully submitted that the application is now in condition for

allowance. The Examiner's reconsideration and further examination are

respectfully requested.

The Commissioner is authorized to charge any deficiencies in fees and

credit any overpayment of fees to Deposit Account No. 50-2019. A duplicate

page is enclosed.

Respectfully submitted,

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Dated: June 28, 2006   By _____

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therein, and Claims 27-28 specifically recite one or more processor readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors.

It is respectfully submitted that the application is now in condition for allowance. The Examiner's reconsideration and further examination are respectfully requested.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 50-2019. A duplicate page is enclosed.

DUPLICATE

Respectfully submitted,

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